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PATENT

Docket No. 4167-4000

Express Mail Label No. EJ604725094US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL (1.53(b))**

COMMISSIONER FOR PATENTS  
Box Patent Application  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Named Inventor(s) and  
Address(es):

M. Suzanne Bradshaw, 3312 York Lane, Cincinnati, OH 45215, U.S.A.

Jacques A. Bollekens, Avenue DES Bouleaux 21, 1170 Brussels, Belgium

Frank H. Ruddle, 341 Willow Street, New Haven, CT 06511, U.S.A.

For:

A NEW YEAST-BACTERIA SHUTTLE VECTOR

Enclosed are:

☒ 29 page(s) of specification, 1 page(s) of Abstract, 2 page(s) of claims

☐ 5 sheets of drawing ☒ formal ☐ informal

☐ 6 page(s) of Declaration and Power of Attorney

☐ Unsigned

☐ Newly Executed

☒ Copy from prior application

☐ Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)

☒ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☐ Microfiche Computer Program (Appendix)

☒ 5 page(s) of Sequence Listing

☒ computer readable disk containing Sequence Listing

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- ☒ Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same
- ☐ Claim for Priority
- ☐ Certified copy of Priority Document(s)
- ☐ English translation documents
- ☒ Information Disclosure Statement
- ☐ Copy of \_\_\_\_ cited references
- ☒ Copy of PTO-1449 filed in parent application serial No. 09/095,372.
- ☒ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☒ Assignment Papers (assignment cover sheet and assignment documents)
- ☐ A check in the amount of \$40.00 for recording the Assignment.
- ☒ Assignment papers filed in parent application Serial No. 08/761,704.
- ☐ Certification of chain of title pursuant to 37 C.F.R. § 3.73(b).
- ☒ This is a ☒ continuation ☐ divisional ☐ continuation-in-part (C-I-P) of prior application serial no. 09/095,372.
- ☒ Cancel in this application original claims 2-13 of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ A preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.
- ☒ The status of the parent application is as follows:
- ☐ A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_\_.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☒ No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the patent application to this application.

- [X] Amend the specification by inserting before the first line the sentence:  
 This is a continuation of co-pending application Serial No. 09/095,372, filed June 10, 1998 which is a continuation of co-pending application Serial No. 08/761,704, filed December 6, 1996, which is a continuation-in-part of U.S. Provisional Application Serial. No. 60/008,250 filed December 6, 1995.

I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)

	Number Filed		Number Extra	Rate	Basic Fee
Total Claims	7	-20=	-0-	x\$22.00	\$ -0-
Independent Claims	1	- 3=	-0-	x82.00	\$ -0-
Multiple Dependent Claims	[ ] yes		Additional Fee =	\$270.00	
	[X] no		Add'l Fee =	NONE	\$ -0-

Total: \$ 355.00

- [X] A statement claiming small entity status has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$ 355.00.
- [ ] A check in the amount of \$ \_\_\_\_\_ in payment of the application filing fees is attached.
- [X] Charge Fee(s) to Deposit Account No. 13-4500. Order No. 4167-4000 A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- [X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4167-4000. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: December 4, 2000

By: Darryl H. Steensma  
 Darryl H. Steensma  
 Registration No. 43,155

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